



PLANNING DIRECTOR'S HEARING AGENDA

WEDNESDAY, OCTOBER 27, 2004

10:00 a.m.
City Council Chambers
Room 205
City Hall

801 North First Street
San Jose, California

Hearing Officers

Jean Hamilton, AICP, Principal Planner

Susan Walton, Principal Planner

**Plan Implementation Division
Joseph Horwedel, Deputy Director**

**Stephen M. Haase, AICP
Director Planning, Building, and Code Enforcement**

NOTE

To arrange an accommodation under the Americans with Disabilities Act to participate in this public meeting, we ask that you call (408) 277-4576 (VOICE), 998-5299 (TTY) at least two days, (48 hours) before the meeting. If you requested such an accommodation and have not already identified yourself to the technician seated at the staff table, please do so now. If you did not call in advance and do now need assistance, please see the technician.

NOTICE TO THE PUBLIC

Good morning, this is the Planning Director's Hearing of **October 27, 2004**. My name is _____ and I am the Hearing Officer for today's agenda. On behalf of the Planning Director, I would like to welcome you to this Public Hearing. Please remember to turn off all cell phones and pagers. A copy of the agenda is available on the table by the door for your convenience.

The procedure for this hearing is as follows:

- Hearing Officer will identify the project as described on the agenda
- Staff report
- After the staff report, applicant and/or representative will have up to 5 minutes to speak and should make themselves known as their item comes up by approaching the microphone and identifying themselves and stating their home address, or just wave from the audience if you do not wish to speak
- Public testimony of up to 2 minutes, either for or against the project. Please state name and home address for the record
- After the public testimony, the applicant may make closing remarks of up to 5 minutes
- The Hearing Officer may ask questions of the speaker
- The public hearing will then be closed and the Hearing Officer will take action on the item. The Hearing Officer may request staff to respond to the public testimony, ask staff questions, and discuss the item

If you challenge these land use decisions in court, you may be limited to raising only those issues you or someone else raised at this public hearing or in written correspondence delivered to the City at, or prior to, the public hearing.

The Planning Director's action on these agenda items is final when the permit is signed and mailed, unless the permit is appealed. The Planning Director's actions are appealable in accordance with the requirements of Title 20 of the Municipal Zoning Code.

Note: If you have any agenda changes, please contact Joe Babiasz (joe.babiasz@sanjoseca.gov).

AGENDA

ORDER OF BUSINESS

1. DEFERRALS

Any item scheduled for hearing this morning for which deferral is being requested will be taken out of order, to be heard first on the matter of deferral. A list of staff recommended deferrals is available on the table. I will identify the items to be deferred and then ask for comments from the audience. If you want to change any of the deferral dates recommended or speak to the question of deferring these or any other items, you should say so at this time. I will now open the public hearing. The following items are proposed to be deferred.

The matter of deferrals is now closed.

2. CONSENT CALENDAR

NOTICE TO THE PUBLIC

The consent calendar items are considered to be routine and will be adopted by one motion. There will be no separate discussion of these items unless a request is made by the Director of Planning, staff, or the public to have an item removed from the consent calendar and considered separately. If anyone in the audience wishes to speak on one of these items, please come to the podium at this time.

- a. [PD04-065. Planned Development Permit](#) to construct 88 affordable multi-family attached residences and 2,500 square feet of retail space on a 1.61 gross acre site in the A(PD) Planned Development Zoning District, located at the southeast corner of Keyes and 12th Streets (570 Keyes Street) (Bella Castello Fam Apts Lp, Owner; Roem Development Corp. Mr Robert Emami, Developer). Council District 3. SNI: Spartan/Keyes. CEQA: Mitigated Negative Declaration.
- b. [PDA92-038-01. Planned Development Permit Amendment](#) to allow a 75-horsepower standby/backup electrical power generator for an existing grocery store (Albertsons) on a 3.99 gross acre site in the A(PD) Planned Development Zoning District, located at the southwest corner of Blossom Hill Road and Allen Avenue (830 Blossom Hill Road) (Greenbriar Development Company, Owner). Council District 10. SNI: None. CEQA: Exempt.
- c. [TR04-096. Tree Removal Permit](#) to remove one Cottonwood tree, approximately 126 inches in diameter on a 0.13 gross acre site in the R-1-8 Single-Family Residence Zoning District, located at 396 Jai Drive (Stahl Dave And Lynda, Owner). Council District 2. CEQA: Exempt.

- d. [TR04-095. Tree Removal Permit](#) request to remove one Redwood tree, 176 inches in circumference on a 0.13 gross acre site in the R-1-8 Single-Family Residence Zoning District, located at 2554 Tioga Way (Uhler Charles E And Beverly J, Applicant). Council District 9. CEQA: Exempt.
- e. [TR04-084. Tree Removal Permit](#) to remove five Deodor Cedar 78 - 102 inches in circumference, one redwood 150 inches in circumference and one Magnolia 74 inches in circumference on a 0.51 gross acre site in the R-1-8 Single-Family Residence Zoning District, located at/on the 1588 Cottle Avenue (Knickerbocker Jason, Owner). Council District 6. CEQA: Exempt.
- f. [HA70-224-01. Site Development Permit Amendment](#) for removal of nine Olive trees 63 to 94 inches in circumference on a 6.86 gross acre site in the R-M Multiple Residence Zoning District, located at/on the south side of Stokes Street, terminus of De Marietta Avenue (1800 STOKES ST) (Sfc Creekside Investors Et Al, Owner). Council District 6. CEQA: Exempt.

The consent calendar is now closed.

3. PUBLIC HEARING

- a. [PD04-054. Planned Development Permit](#) to install 3 pairs of wireless communications antennas to a new 50 foot high monopole and a 270 square foot equipment shelter on a 0.2 gross acre site in the A(PD) Planned Development Zoning District, located at/on the north side of D'amico Drive, opposite of Tenley Drive (Santa Clara Valey Water District, Owner; Pacific Bell Mobile Services/ Diane Slattery, Developer). Council District 8. SNI: None. CEQA: Exempt.
- b. [PD04-045. Planned Development Permit](#) to construct 35 affordable multi-family attached residences, and allow after midnight operation and off-sale of alcoholic beverages at the proposed 3,775 square foot retail commercial use (7-11 Market) on a 0.42 gross acre site in the A(PD) Planned Development Zoning District, located on the northeast corner of North First Street and East Gish Road (1410 N 1ST ST) (Southland Corporation, Owner; 1st Community Housing, Developer). Council District 3. SNI: None. CEQA: Addendum to a Mitigated Negative Declaration.
- c. [PDA02-055-01. Planned Development Permit Amendment](#) to allow a Stand-by/Backup Generator at an existing hospital on a 19.1 gross acre site in the A(PD) Planned Development Zoning District, located at/on the northwest corner of Samaritan Drive and Samaritan Place (2425 SAMARITAN DR) (Good Samaritan Hosp Lp, Owner). Council District 9. SNI: None. CEQA: Exempt.
- d. [SP04-056. Special Use Permit](#) request to allow the expansion of warehouse/distribution uses (FedEx) in an existing building, and approval to phase the site improvements required by a previously approved Conditional Use Permit (File No. CP02-032), on a 17.45 gross acre site, in the IP Industrial Park Zoning District, located on the southwest corner of East Trimble Road and

Kruse Drive (696 E Trimble Rd, Suite 40) (F E Trimble Llc, Owner). Council District 4. SNI: None. CEQA: Exempt.

- e. The projects being considered are located on the west side of North Capitol Avenue, opposite of Penitencia Creek Road (905 N CAPITOL AV), on a 5.1 gross acre site in the A(PD) Planned Development Zoning District (YONEDA MASATO AND FUSA T TRUSTEE & ET AL, Owner; TRUMARK COMPANIES, Developer). Council District 4. SNI: None. CEQA: Mitigated Negative Declaration.
 - 1. **PD04-038. Planned Development Permit** to construct 113 single-family attached residences.
 - 2. **PT04-047. Vesting Planned Tentative Condominium Map Permit** to subdivide 1 parcel into 9 lots for 113 multi-family attached residences.
- f. **SP04-042. Special Use Permit** for expansion of a legal nonconforming use by adding a two-story addition totaling 1,642 square feet to an existing single-family detached residence in the CN Commercial Neighborhood Zoning District on a 0.15 gross acre site in the CN Neighborhood Commercial Zoning District, located on the east side of N. 8th Street, approximately 90 feet southerly of E. Empire Street (486 N 8TH ST) (Salazar Benjamin L And Ernestina, Owner). Council District 3. SNI: 13th Street. CEQA: Exempt.
- g. **PDA99-030-01. Planned Development Permit Amendment** to allow a temporary pedestrian path between the campus and tennis courts and the addition of up to (4) four storage containers adjacent to the football/track stadium, at an existing school site in the A (PD) Planned Development Zoning District, located at the easterly terminus of Skyway Drive, approximately 1,000 feet easterly of the intersection of Monterey Highway and Skyway Drive (100 SKYWAY DR) (Valley Christian Schools, Owner; Valley Christian Schools, Developer). Council District 2. SNI: None. CEQA: Exempt.
- h. **PT04-075. Planned Tentative Map Permit** to subdivide one parcel into 6 lots for 5 single-family detached residential units and one common lot on a 0.56 gross acre site in the A(PD) Planned Development Zoning District, located on the easterly side of Senter Road approximately 280 feet southerly of Nokomis Drive (4030 SENTER RD) (Green Valley Corp, Owner). Council District 2. SNI: None. CEQA: Exempt.
- i. **H04-034. Site Development Permit** to construct 24,300 square feet of retail/commercial (for a strip mall) on a 1.44 gross acre site in the CG General Commercial Zoning District, located at/on the East side of South Bascom Avenue approximately 250 feet north of Leon Drive (1000 S BASCOM AV) (Donati Bascom Bldg Llc, Owner). Council District 6. SNI: None. CEQA: Exempt.

- j. [PDA92-035-01. Planned Development Permit Amendment](#) for tree removal of one Monterey Pine and two Eucalyptus trees (approximately 60 inches in circumference) previously removed without the benefit of permits and three existing Eucalyptus trees (60 inches in circumference) at the Garden Alameda office complex in the A(PD) Planned Development Zoning District, located on the southeast corner of State Route 82 and Schiele Street (1550 THE ALAMEDA) (Cirrus Investments LP, Owner). Council District 6. CEQA: Exempt. Continued from 10/20/04.
- k. [PD04-044. Planned Development Permit](#) to allow a 7,329 square-foot single-family detached residence with a 1,943 square-foot attached garage (.06 F.A.R.) on a 2.6 gross acre site in the A(PD) Planned Development Zoning District, located at/on the west side of Blackpool Court approximately 1,500 feet southerly of Country Club Parkway (6107 Blackpool Court) (Brunetti Richard & Donna, Owner). Council District 8. SNI: None. CEQA: Use of Silver Creek Country Club EIR Resolution No. 61784. Deferred from 8/1/04, 8/25/04, 9/8/04, 9/15/04, 9/29/04, and 10/20/04.
- l. The projects being considered are located at/on westerly side of Meridian Avenue, between Hillsdale Avenue and Foxworthy and Willow Creek Drive, in the A(PD) Planned Development Zoning District (Hacienda Gardens, LLC Mark Tersini, Owner/Developer). Council District 9. SNI: None. CEQA: Re-Use of Mitigated Negative Declaration, PDC02-053.
 - 1. [PD03-038. Planned Development Permit](#) to allow 299 multi-family attached residences, approximately 168,184 square feet of commercial uses, and to allow an existing nightclub (Cardinal) and 24-hour uses (Cardinal, Rite-Aid and Albertson's) on a 20.86 gross acre site. Deferred from 10/13/04.
 - 2. [PT03-068. Planned Tentative Map Permit](#) to subdivide/reconfigure 9 parcels into 25 lots for residential and commercial uses on a 20.86 gross acre site. Deferred from 10/13/04.

This concludes the Planning Director's Hearing for October 27, 2004. Thank you.

PLANNING DIRECTOR'S AGENDA ON THE WEB:
<http://www.sanjoseca.gov/planning/hearings/index.htm>
PUBLIC INFORMATION COUNTER
(408) 277-4576 CITY OF SAN JOSE

**DEPARTMENT OF PLANNING, BUILDING AND CODE ENFORCEMENT
PLANNING DIRECTOR'S HEARING**

Synopsis of Staff Recommendations

OCTOBER 20, 2004

PUBLIC HEARINGS

1. DEFERRALS

- | | | |
|----|--------------|----------------------|
| a. | PDA99-030-01 | Deferred to 10/27/04 |
| b. | PDA92-038-01 | Deferred to 10/27/04 |
| c. | PDA92-035-01 | Deferred to 10/27/04 |

2. CONSENT CALENDAR

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|----|--------------|----------------------|
| a. | PD03-062 | Approved |
| b. | PD04-059 | Approved |
| c. | PDA92-035-01 | Deferred to 10/27/04 |
| d. | TR04-101 | Approved |
| e. | TR04-081 | Approved |
| f. | TR04-088 | Approved |
| g. | TR04-095 | Approved |

3. PUBLIC HEARINGS

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|----|----------|----------------------|
| a. | PD04-044 | Deferred to 10/27/04 |
| b. | PD04-060 | Approved |
| c. | SP04-050 | Approved |
| d. | SP04-047 | Approved |